

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE STATEMENT

In re Application of: Marc Christian Davis, et al.

Attorney Docket No: DWP-1

Serial No: Not yet assigned.

Date: June 26, 2003

Filed: Herewith.

Art Unit: Not yet assigned.

Confirmation No: Not yet assigned.

Our Account No: 04-1403

Title: Laminated Ball Bat With Engineered Sweet Spot Zone And
Method Of Making Same

Commissioner for Patents
U.S. Patent and Trademark Office
Post Office Box 1450
Alexandria, VA 22313-1450

Sir:
The following is an Information Disclosure Statement for the captioned patent application, pursuant to 37 CFR Sections 1.56, 1.97, and 1.98.

1.[x] Attached hereto is:

- a.[x] A list of materials for consideration per Rule 98(a)(1): 1 page(s)
- b.[x] A legible copy of each patent, publication, or other item listed per Rule 98(1)(2), unless not required per Rule 98(c) and/or (d) and as indicated on the attached list(s):
22 item(s)
- c. [] For each non-English language item listed, pursuant to Rule 98(a)(3), a concise explanation of the relevance thereof as it is presently understood by the individual designated in Rule 56(c) most knowledgeable about the content of such items: _____

[] Such explanation is provided in the Search Report from a corresponding application enclosed herewith along with any enclosed translation into English.

2.[x] This Information Disclosure Statement is being filed [CHECK ONE]:

- a.[x] WITHIN THREE MONTHS of the application filing date, national stage date of entry, or along with or after a request for continued examination, OR BEFORE the mailing date of a first Office Action on the merits, which ever event occurs last, WHEREFORE per Rule 97(b) NO filing fee or Rule 97(e) certificate is required.
- b. [] AFTER the time periods of section 2.a above, but BEFORE a Final Action, Notice of Allowance OR an action that otherwise closes prosecution, WHEREFORE PER Rule 97(e) submitted herewith is [CHECK ONE]:
 - i. [] Certification per Rule 97(e); OR
 - ii[] Filing Fee per Rule 17(p)\$180.00
- c. [] AFTER a Final Action OR Notice of Allowance, but BEFORE payment of the issue fee, WHEREFORE per Rule 97(d) submitted herewith is:
 - i. Certification per Rule 97(e); AND
 - ii. Filing fee per Rule 17(p)\$180.00

3. [] Rule 97(e) Certification; per Rule 97(e), the undersigned certifying party make the following certification statement [CHECK ONE]:

- a. [] That each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; OR
- b. [] That no item of information contained in this Information Disclosure Statement was cited in a foreign patent office in a counterpart foreign application and to the knowledge of the undersigned after making a reasonable inquiry, was known to any individual designated in Rule 56(c) more than three months prior to the filing of this statement.

CERTIFYING PARTY (if different from bottom signature; omission here indicates that certification is being made by signer per signature below).

Name: _____

Signature: _____

Address: _____

Date: _____

4.[x] DEPOSIT ACCOUNT AUTHORIZATION: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

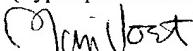
5.[x] CERTIFICATE OF MAILING: This Information Disclosure Statement is being filed pursuant to [CHECK AND COMPLETE ONE]:

a.[x] First Class Mail Certificate of Mailing under Rule 8:

I hereby certify that this correspondence and any referenced attachment and/or fee are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Post Office Box 1450, Alexandria, VA 22313-1450, on June 26, 2003.

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b.[] "Express Mail" Certificate under Rule 10:

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I hereby certify that this paper and all attachments and any fee are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patent, U.S. Patent and Trademark Office, Post Office Box 1450, Alexandria, VA 22313-1450.

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DORITY & MANNING, P.A.

By: William M. Simmons, Esquire _____

Reg. No: 53,910 _____

Signature: William M. Simmons _____

Date: June 26, 2003 _____

(Rev. 5/92) Information Disclosure Statement List By Applicant Under 37 CFR Section 1.98(a) (1) (Use several sheets if necessary)		Attorney Docket Number DWP-1	Serial Number Not yet assigned.
		Applicant : Marc Christian Davis, et al.	
		Filing Date: Herewith	Group Art Unit:
		Confirmation No.: Not yet assigned.	

NOTE: If no indication is made in the column marked "COPY NOTE," the required legible copy of the corresponding item is submitted herewith; otherwise, a copy is not required and/or not submitted, for the following reason(s) [corresponding reason number is listed in "COPY NOTE" column]

- (1) This item is cumulative, per Rule 98(c)
- (2) A copy of this item was previously cited by or submitted to the U.S. Patent and Trademark Office in:

USSN _____, filed _____, or
USSN _____, filed _____;

Relied on under 35 U.S.C. Section 120, per Rule 98(d)

- (3) Both reasons (1) and (2) apply
- (4) No legible complete copy is possessed, in custody of controlled, or readily available

U.S. PATENT DOCUMENTS											
EXAMINER INITIALS		PATENTEE NAME		PATENT NUMBER					ISSUE DATE	COPY NOTE	
		Chohan		6	5	1	1	3	9	2 B1	01/28/2003
		Young et al.		6	0	1	0	4	1	7	01/04/2000
		Baum		5	6	2	4	1	1	5	04/29/1997
		MacKay, Jr.		5	6	2	0	1	7	9	04/15/1997
		Smart		5	4	9	0	6	6	9	02/13/1996
		Baum		5	4	6	0	3	6	9	10/24/1995
		Souders et al.		5	3	9	5	1	0	8	03/07/1995
		Baum		5	1	1	4	1	4	4	05/19/1992
		Mitchell et al.		4	8	4	4	4	6	0	07/04/1989
		You		4	5	7	2	5	0	8	02/25/1986
		Darling et al.		2	7	9	3	8	5	9	02/08/1955
		Marsden		2	4	5	8	9	1	9	01/11/1949
		Paul		1	9	4	9	3	2	5	02/27/1934
		Hillerich		1	6	0	1	9	1	5	10/05/1926
		Rastetter		1	5	4	9	8	0	3	08/18/1925
		Buehler		8	1	3	4	0	0		02/27/1906
		Burrows		7	9	5	8	1	5		08/01/1905
		Brown		3	1	0	2	4	8		01/06/1885

FOREIGN PATENT DOCUMENTS									
EXAMINER INITIALS		COUNTRY	DOCUMENT NUMBER		PUBLICATION DATE	TRANSLATION		COPY NOTE	
						YES	NO	N/A	

*"NO" means that no copy of an English language translation is within the possession, custody, or control of, or is readily available to any individual designated in Rule 56(c).

EXAMINER INITIALS		OTHER DOCUMENTS					COPY NOTE		
		Specify author (if any), Title, Pertinent Pages, Date & Place of Publication							
		Daniel A. Russell, <i>Acoustics of Baseball Bats</i> , Science & Mathematics Department, Kettering University, Flint, MI 48504-4898							
		Alan M. Nathan, <i>Dynamics of the baseball-bat collision</i> , Department of Physics, University of Illinois, Urbana, Illinois, Am. J. Phys. 68 (11), November 2000							
		<i>Beating the Limits II: Technology</i> , Volume 7, Physics 208, Washington Education, last updated on May 31, 1999							
		Alan M. Nathan, <i>Characterizing the performance of baseball bats</i> , Department of Physics, University of Illinois, Urbana, Illinois, Am. J. Phys. 71 (2), February 2003							

EXAMINER		DATE CONSIDERED		
Examiner: initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.				

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Marc Christian Davis, et al.)	Examiner:	Not yet assigned.
)		
Serial No.:	Not yet assigned.)	Group Art Unit:	Not yet assigned.
)		
Filed:	June 24, 2003)	Our Account No.	04-1403
)		
Confirmation No.:	Not yet assigned.)		
)		
For:	Laminated Ball Bat With Engineered)		
	Sweet Spot Zone And Method Of)		
	Making Same)		

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
U.S. Patent and Trademark Office
Post Office Box 1450
Alexandria, VA 22313-1450

Sir:

The attached Information Disclosure Statement is submitted for the Examiner's consideration in accordance with the Applicants' duty of disclosure.

Although the documents provided in this Information Disclosure Statement are submitted for the Examiner's convenience, Applicants do not admit of their relevance as prior art to the present application under 35 U.S.C. §102 and §103 nor of their pertinence in other respects.

The Examiner is encouraged to contact the undersigned at his/her convenience should he/she have any questions regarding this matter or require any additional information.

Respectfully submitted,

DORITY & MANNING,
ATTORNEYS AT LAW, P.A.

Date: June 26, 2003

William M. Simmons

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